

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA

I Certify that the foregoing is a
true copy of the original on file in this
court and cause.

Robert Trgovich, CLERK

By /s/ Jennifer Darrah

Date: 10/17/12

**UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION**

**IN RE: BIOMET M2A MAGNUM HIP IMPLANT
PRODUCTS LIABILITY LITIGATION**

MDL No. 2391

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO -1)

On October 2, 2012, the Panel transferred 8 civil action(s) to the United States District Court for the Northern District of Indiana for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. §1407. *See* _F.Supp.2d_ (J.P.M.L. 2012). Since that time, no additional action(s) have been transferred to the Northern District of Indiana. With the consent of that court, all such actions have been assigned to the Honorable Robert L Miller, Jr.

It appears that the action(s) on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Northern District of Indiana and assigned to Judge Miller.

Pursuant to Rule 7.1 of the Rules of Procedure of the United States Judicial Panel on Multidistrict Litigation, the action(s) on the attached schedule are transferred under 28 U.S.C. §1407 to the Northern District of Indiana for the reasons stated in the order of October 2, 2012, and, with the consent of that court, assigned to the Honorable Robert L Miller, Jr.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Northern District of Indiana. The transmittal of this order to said Clerk shall be stayed 7 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 7-day period, the stay will be continued until further order of the Panel.

Inasmuch as no objection is
pending at this time, the
stay is lifted.

Oct 17, 2012

CLERK'S OFFICE
UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

FOR THE PANEL:



Jeffery N. Lüthi
Clerk of the Panel

**IN RE: BIOMET M2A MAGNUM HIP IMPLANT
PRODUCTS LIABILITY LITIGATION**

MDL No. 2391

SCHEDULE CTO-1 – TAG-ALONG ACTIONS

| <u>DIST</u> | <u>DIV.</u> | <u>C.A.NO.</u> | <u>CASE CAPTION</u> |
|----------------------------|--------------------|-----------------------|---|
| CALIFORNIA CENTRAL | | | |
| CAC | 2 | 12-06513 | Bryan Tidwell v. Biomet Orthopedics LLC et al |
| CALIFORNIA EASTERN | | | |
| CAE | 2 | 12-01860 | Beguin v. Biomet, Inc. et al |
| CALIFORNIA NORTHERN | | | |
| CAN | 3 | 12-03368 | Wilson et al v. Biomet Orthopedics, LLC et al |
| CAN | 3 | 12-03444 | Thomas v. Biomet Orthopedics, LLC et al |
| CAN | 3 | 12-03446 | Glancey v. Biomet Orthopedics, LLC et al |
| CAN | 3 | 12-03447 | Morrison v. Biomet Orthopedics, LLC et al |
| CAN | 3 | 12-03476 | Markusen v. Biomet, Inc. et al |
| CAN | 3 | 12-03479 | Fields et al v. Biomet Orthopedics, LLC et al |
| CAN | 3 | 12-04276 | Ponicsan et al v. Biomet, Inc. et al |
| CAN | 4 | 12-03440 | Napier v. Biomet Orthopedics, LLC et al |
| CAN | 4 | 12-03448 | Jacobs et al v. Biomet, Inc. et al |
| FLORIDA MIDDLE | | | |
| FLM | 8 | 12-01157 | Richards et al v. Biomet Orthopedics, LLC et al |
| GEORGIA MIDDLE | | | |
| GAM | 5 | 12-00336 | CREECH et al v. BIOMET INC et al |
| KANSAS | | | |
| KS | 2 | 12-02435 | Graham v. Biomet Orthopedics, LLC et al |
| KENTUCKY WESTERN | | | |
| KYW | 3 | 12-00438 | Edelen et al v. Biomet, Inc. et al |
| KYW | 3 | 12-00491 | Wurzel et al v. Biomet, Inc. et al |

LOUISIANA MIDDLE

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| LAM | 3 | 12-00406 | Winfield v. Biomet Orthopedics, LLC et al |
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MARYLAND

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| MD | 1 | 12-01436 | McCoy v. Biomet Orthopedics, LLC et al |
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MINNESOTA

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| MN | 0 | 12-02061 | Jackson v. Biomet Orthopedics, LLC et al |
| MN | 0 | 12-02062 | Baccus v. Biomet Orthopedics, LLC et al |
| MN | 0 | 12-02063 | Stedham v. Biomet Orthopedics, LLC et al |

NEW JERSEY

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|----|---|----------|--|
| NJ | 2 | 12-03136 | CHADWICK v. BIOMET ORTHOPEDICS, INC. et al |
| NJ | 2 | 12-03359 | HANSON v. BIOMET, INC. et al |
| NJ | 2 | 12-03414 | ANKER et al v. BIOMET, INC. et al |
| NJ | 2 | 12-04209 | WADE et al v. BIOMET, INC. et al |
| NJ | 3 | 12-03788 | LANE v. BIOMET, INC. et al |
| NJ | 3 | 12-05359 | MIELE v. BIOMET, INC. et al |

NEW YORK SOUTHERN

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| NYS | 1 | 12-05164 | Pisani v. Biomet, Inc. et al |
| NYS | 1 | 12-06171 | Mathews v. Biomet, Inc. et al |
| NYS | 1 | 12-06517 | Hallagan v. Biomet Inc. et al |
| NYS | 1 | 12-06518 | O'Rourke v. Biomet, Inc. et al |
| NYS | 1 | 12-06520 | Simmons et al v. Biomet Inc. et al |
| NYS | 1 | 12-06521 | Sperandeo et al v. Biomet, Inc. et al |
| NYS | 1 | 12-06522 | Atila et al v. Biomet Inc. et al |
| NYS | 1 | 12-06523 | Secor v. Biomet Inc. et al |

NORTH CAROLINA EASTERN

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| NCE | 2 | 12-00042 | Jenkins v. Biomet Orthopedics, LLC, et al |
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NORTH CAROLINA WESTERN

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| NCW | 1 | 12-00251 | Ferree v. Biomet Orthopedics, LLC et al |
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OHIO SOUTHERN

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| OHS | 1 | 12-00451 | Graham v. Biomet, Inc. et al |
| OHS | 2 | 12-00396 | Davis et al v. Biomet Orthopedics Inc et al |

PENNSYLVANIA EASTERN

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| PAE | 2 | 12-03361 | SELBY et al v. BIOMET, INC. et al |
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PENNSYLVANIA WESTERN

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| PAW | 2 | 12-00845 | MODREY et al v. BIOMET, INC. et al |
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TEXAS NORTHERN

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| TXN | 3 | 12-03568 | Smith v. Biomet Inc et al |
| TXN | 3 | 12-03573 | Kordash v. Biomet, Inc. et al |
| TXN | 3 | 12-03590 | Bridges et al v. Biomet, Inc. et al |

TEXAS SOUTHERN

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| TXS | 4 | 12-02591 | Hearn v. Biomet Orthopedics, LLC et al |
| TXS | 4 | 12-02628 | Klager et al v. Biomet, Inc. et al |
| TXS | 4 | 12-02630 | Walls v. Biomet, Inc. et al |
| TXS | 4 | 12-02632 | White-Jones v. Biomet, Inc. et al |
| TXS | 4 | 12-02633 | Larivee v. Biomet, Inc. et al |
| TXS | 6 | 12-00038 | Marshall v. Biomet, Inc. et al |

TEXAS WESTERN

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| TXW | 1 | 12-00632 | Bannister v. Biomet Orthopedics, LLC et al |
| TXW | 1 | 12-00796 | Lara v. Biomet Orthopedics, LLC et al |

VIRGINIA EASTERN

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| VAE | 3 | 12-00709 | ABOURJILIE v. BIOMET, INC. et al |
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